

CONFIDENTIAL SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This CONFIDENTIAL SETTLEMENT AGREEMENT AND MUTUAL RELEASE (the “Agreement”) is made and entered into by and between Yemassee Solar, LLC (“Yemassee”), and Dominion Energy South Carolina, Inc. (“DESC”), this 25th day of March, 2020 (the “Effective Date”). Yemassee and DESC are referred to herein individually as a “Party” and collectively as the “Parties.”

WHEREAS, on December 19, 2019, Yemassee, along with Trask East Solar, LLC, Denmark Solar, LLC, and Blackville Solar Farm, LLC (the “Other Petitioners”), filed a Petition (the “Petition”) with the Public Service Commission of South Carolina (the “Commission”) in Docket No. 2019-388-E. The Petition seeks an extension of the “Completion Date” in Yemassee’s power purchase agreement with DESC, dated May 26, 2018 (the “PPA”), for a 10.0 MW AC solar project (the “Project”);

WHEREAS, DESC opposes the allegations set forth in the Petition, and opposes the relief sought before the Commission by and through the Petition; and

WHEREAS, to avoid the costs, disruption, and distraction of further litigation under the Petition and the filings arising therefrom (collectively, the “Action”), and without admitting the validity of any allegation made in the Action, DESC, Yemassee, and the Other Petitioners have agreed to resolve any and all claims, disputes, and all matters that were raised or that could have been raised in the Action; and

WHEREAS, each of the Other Petitioners executed a Settlement Agreement and Mutual Release with DESC simultaneously herewith.

NOW, THEREFORE, for and in consideration of the mutual promises hereinafter expressed, it is hereby agreed by and between the Parties as follows:

